

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In the Matter of:

In Bankruptcy

**PICHAN, DAVID L.,**  
**PICHAN, JO ANN,**  
Debtor(s)

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Case No. 12-66246 WSD  
Chapter 7  
Hon. Walter Shapero.Detroit

**APPLICATION FOR ORDER  
APPROVING FIRST INTERIM FEES AND EXPENSES FOR THE  
ATTORNEYS FOR THE TRUSTEE**

Schneider Miller, P.C., attorneys for Timothy J. Miller, Trustee states:

1. Fees requested are in the amount of \$9,800.00. Expenses requested are in the amount of \$125.00. Fees accrued to date are in the total amount of \$20,256.50. All accrued fees not requested at this time may be requested as part of a final fee application to be filed.

2. The time period covered by this application is from December 14, 2012 to July 18, 2014.

3. The nature of services provided relate to representation of the chapter 7 trustee in the investigation of a parcel of real property adjacent to the Debtors' former residence, and a comprehensive review of all of the Debtors' assets, business and personal financial transactions, liens, claims and indebtedness. Certain patent rights and potential lawsuits in favor of the Debtors were investigated. Debtors' amended their schedules on three occasions and the modifications were reviewed. Extensive records were requested, received and reviewed. A Bankruptcy Rule 2004 examination was conducted. During the pendency of the chapter 7, after it became apparent that the Trustee would sell the subject real property, Debtors sought relief in chapter 13 via a conversion of their case from chapter 7. A motion was filed and initially contested.

Conversion took place on June 13, 2013. The chapter 13 phase was short-lived however. The case reconverted to chapter 7 on September 16, 2013. Applicant thereafter assisted in the sale of the subject vacant parcel. An initial offer in the amount of \$8,000.00 was received. Applicant established an auction procedure that generated interest bidders. The Debtors objected to the Trustee's sale, though they lacked standing. Debtors asserted that the estate would not benefit. At the early morning hour prior to the hearing on the objection to the Trustee's sale, Debtors' withdrew their objection. The sale proceeded and the auction generated a high bid in the amount of \$38,000.00. The Debtors thereafter filed a motion for reconsideration, but apparently abandoned their efforts to upset the sale. The motion for reconsideration was denied for lack of prosecution.

4. Adversary proceedings were not filed.

5. The current status of matters is that the case is that the Trustee will be filing final estate income tax returns and asking tax authorities for final tax determinations.

The total case receipts are \$38,498.45 and disbursements to date are in the amount of \$4,022.42. The case should close within 90 days.

6. Services to be rendered include those associated with closing the estate.

7. Other administrative expenses include Trustee fees which are expected to be approximately \$4,600.00 and accountant fees of \$565.00. There are no other administrative expenses, except for the accrued trustee attorney fees indicated above, and estate income taxes expected to be about \$800.00.

8. There are no instances of services rendered by more than one attorney.

9. There have been no prior fee requests.

10. Expenses requested are in the amount of \$125.00.

11. The Trustee was given the opportunity to review this application before it was filed. The Trustee approved this application.

12. Applicant has no agreement for the sharing of compensation requested herein.

WHEREFORE, Applicant prays for an award of the fees and expenses requested.

DATE: July 18, 2014

/s/Timothy J. Miller, Attorney  
TIMOTHY J. MILLER (P36951)  
Attorney for the Trustee  
64541 Van Dyke Suite 101B  
Washington, MI 48095  
(586) 281-3764  
tmiller@schneidermiller.com

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**EXHIBIT LIST**

<u>Exhibit</u>	<u>Description</u>
1	Proposed order
2	Order authorizing employment of Trustee's counsel
3	Notice of Application for Order approving first interim fees and expenses
4	Summary of attorney fees
5	Itemized statement of attorney fees
6	Biography of attorney(s)
7	Itemized statement of attorney expenses

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**[PROPOSED]  
ORDER AUTHORIZING PAYMENT OF  
FIRST INTERIM FEES AND EXPENSES FOR THE  
ATTORNEYS FOR THE TRUSTEE**

Schneider Miller, P.C., attorneys for Timothy J. Miller, Trustee, having filed an Application for Order Approving First Interim Fees and Expenses, notice thereof having been provided to all creditors and parties in interest, and there being no objections,

IT IS HEREBY ORDERED that first interim fees in the amount of \$9,800.00 and expenses in the amount of \$125.00 are awarded to Schneider Miller, P.C., attorneys for the Trustee.

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**NOTICE OF APPLICATION FOR ORDER APPROVING FIRST INTERIM  
FEES AND EXPENSES  
FOR THE ATTORNEYS FOR THE TRUSTEE**

Schneider Miller, P.C., attorneys for Timothy J. Miller, Trustee, has filed papers with the Court entitled Application for Order Approving First Interim Fees and Expenses for the Attorneys for the Trustee. Compensation in the amount of \$9,800.00 is requested. Expenses are requested in the amount of \$125.00.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to award fees to Schneider Miller, P.C. as set forth above or if you want the court to consider your views on the Application, within 21 days you or your attorney must:

1. File with the Court a written response or an answer explaining your position at:

United States Bankruptcy Court  
211 W. Fort Street, Suite 2100  
Detroit, Michigan 48226

**If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must also mail a copy to:**

Timothy J. Miller, Esq.  
64541 Van Dyke, Suite 101-B  
Washington Township, Michigan 48095

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the objection and you will be served with a notice of the time and location of the hearing.

**If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.**

Date: July 18, 2014

/s/Timothy J. Miller, Attorney  
TIMOTHY J. MILLER (P36951)  
Attorney for the Trustee  
64541 Van Dyke, Suite 101B  
Washington Township, MI 48095  
(586) 281-3764  
[tmiller@schneidermiller.com](mailto:tmiller@schneidermiller.com)

**EXHIBIT 4**

Timothy J. Miller, Partner law offices of Schneider Miller, P.C.

**2012**

1.65 hours x \$340.00 ..... \$561.00

**2013**

26.95 hours x \$350.00 ..... \$9,432.50

**2014**

27.55 hours x \$360.00 ..... \$9,918.00

Anthony J. Miller, associate

1.50 hours research regarding motion for reconsideration x \$230.00.....\$345.00

Total actual fees ..... \$20,256.50

**Total Fees Requested ..... \$9,800.00**

**EXHIBIT 6**  
**BIOGRAPHICAL INFORMATION**

Timothy J. Miller became associated with the law firm of Dougherty and Schneider in January 1983. Upon graduation from Wayne State University Law School in May of 1984 and upon passing the state bar examination that summer, he became an associate attorney with the firm. In January 1990, he became a partner in Dougherty, Schneider & Miller, P.C. In January 1996, the firm reorganized under the name of Schneider, Miller & Lim, P.C. The firm is now Schneider Miller, P.C. Experience in the field of bankruptcy includes representation of trustees, debtors and creditors in all Chapter proceedings. He is an attorney in good standing to practice in all courts of this state. He is a member of the Michigan Bar Association, Federal Bar Association, Consumer Bankruptcy Association, and National Association of Bankruptcy Trustees. He has been appointed to the panel of chapter 7 bankruptcy trustees for the Eastern District of Michigan, Southern Division effective July 1, 2005.



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**CERTIFICATE OF SERVICE**

Re: Application for Order Approving First Interim Fees and Expenses for the Attorneys  
for the Trustee, L.R.B. 9014-1 Notice, proposed Order, and Certificate of Service.

I hereby certify that on July 18, 2014, I electronically filed the foregoing Paper(s) with the Clerk of the Court using the ECF system which will send notification of such filing to the Office of the United States Trustee and all those listed by the court as receiving electronic notices in this case from the court's CM/ECF system and further, that the 9014-1 notice was mailed with proper first class postage prepaid, to the following;

David Pichan  
844 Cliffs Dr. 101D  
Ypsilanti, MI 48198

JoAnn Pichan  
844 Cliffs Dr. 101D  
Ypsilanti, MI 48198

and all creditors who have filed claims.

/s/ Timothy J. Miller, attorney  
Timothy J. Miller (P36951)  
Schneider Miller, P.C.  
64541 Van Dyke Suite 101B  
Washington, MI 48095  
(586) 281-3764  
tmiller@schneidermiller.com